

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE (DO/EO/US)**

In Re Patent Application of: :  
Lothar À BRASSARD :  
: :  
Conf. No.: 8886 : Group Art Unit: Not Yet Assigned  
: :  
Appln. No.: 10/564,118 :  
: Examiner: Not Yet Assigned  
Filing Date: January 10, 2006 :  
: :  
International :  
Appln. No.: PCT/EP04/07308 :  
: :  
International : Attorney Docket No.: 683105-0001  
Filing Date: July 5, 2004 : (cBT001/2003US)  
  
Title: DEVICE AND METHOD FOR SEPARATING MAGNETIC OR  
MAGNETIZABLE PARTICLES FROM A LIQUID

**TRANSMITTAL OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE  
UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

In response to the Notice to File Missing Requirements dated May 2, 2006, we submit herewith the following:

- ☒ [X] Copy of the Notice to File Missing Requirements -- Filing Date Granted, mailed May 2, 2006.
- ☐ [ ] No Notice to File Missing Parts has been received.
- ☒ [X] Copy of executed Declaration and Power of Attorney.
- ☐ [ ] Verified English translation of application as filed.
- ☐ [ ] Priority document(s): Certified copy(ies) of patent application No(s). , filed in on from which priority is claimed under 35 U.S.C. § 119.
- ☐ [ ] Formal drawings: sheets
- ☒ [X] Information Disclosure Statement, PTO/SB/08A and/or PTO/SB/08B, and cited references.
- ☒ [X] Second Preliminary Amendment.

- ☐ Nucleotide and/or Amino Acid Sequence Submission, including:
- ☐ Computer readable copy                      ☐ Paper Copy                      ☐ Verified Statement
- ☐ Petition for Extension of Time along with requisite fee.
- ☐ Request for Refund.
- ☐ Request for Corrected Filing Receipt. Attached is a marked-up copy of the Filing Receipt showing corrections.
- ☐ Applicant(s), by its/their undersigned attorney, claim(s) Small Entity Status under 37 C.F.R. §1.27 as ☐ an Independent Inventor, or ☐ a Small Business Concern, or ☐ a Non-Profit Organization.
- ☐ Other:

			SMALL ENTITY			LARGE ENTITY	
CLAIMS	NO. FILED	NO. EXTRA	BASIC, SEARCH, AND EXAMINATION FEES: \$ 500			BASIC, SEARCH, AND EXAMINATION FEES: \$1,000	
Total	-20 =		X25	\$	OR	X50	\$
Independent	- 3=		X100	\$	OR	X200	\$
<input type="checkbox"/> Multiple Dependent Claims Present			\$180	\$	OR	\$360	\$
<input type="checkbox"/> Application Size Fee							
Total sheets		Add'l sheets	# of sets of 50 (round up to whole number)				
	-100	=	/50 =	x \$125 =	\$	OR	x 250 = \$
				<b>TOTAL</b>	\$	OR	<b>TOTAL</b> \$

- ☒ The following fees noted below are being paid.
- ☒ Surcharge of \$65.00 for late filing of filing fee and/or Declaration and Power of Attorney.
- ☐ Surcharge of \$130 for late filing of English translation.
- ☐ Extension of Time fee in the amount of \$\_\_\_\_.00 (Petition for Extension of Time is attached).
- ☐ Filing Fee in the amount of \$\_\_\_\_.00 calculated above.
- ☐ Enclosed is our firm's check in the amount of \$\_\_\_\_.00 for the above fee(s).
- ☒ The Commissioner is hereby authorized to charge and/or credit Deposit Account No. 50-1017 (Billing No. 683105.0001) as noted below.
- ☒ The above-calculated fee(s) calculated totaling \$65.00.

- [X] Any overpayments or deficiencies in the above-calculated fee(s).
- [X] Any additional fees required under 37 C.F.R. § 1.16 or § 1.17.
- [X] In the event that a Petition for Extension of Time is required during the prosecution of this application, but not submitted, please charge any extension fee under 37 C.F.R. § 1.136(a) to our Deposit Account noted above.

**CORRESPONDENCE ADDRESS**

June 16, 2006 By: William W. Schwarze  
(Date)

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Enclosures

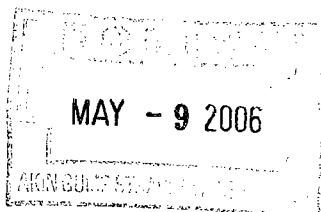


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/564,118	Lothar Abrassard	683105-1US (CBT001/2003US)

Akin Gump Strauss  
 Hauer & Feld  
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 Philadelphia, PA 19103-7013



INTERNATIONAL APPLICATION NO.	
PCT/EP04/07308	
I.A. FILING DATE	PRIORITY DATE
07/05/2004	07/10/2003

**CONFIRMATION NO. 8886**  
**371 FORMALITIES LETTER**



\*OC000000018651833\*

Date Mailed: 05/02/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 01/10/2006
- Copy of the International Search Report filed on 01/10/2006
- Copy of IPE Report filed on 01/10/2006
- Preliminary Amendments filed on 01/10/2006
- Oath or Declaration filed on 01/10/2006
- Small Entity Statement filed on 01/10/2006
- Request for Immediate Examination filed on 01/10/2006
- U.S. Basic National Fees filed on 01/10/2006
- Substitute Specification filed on 01/10/2006
- Priority Documents filed on 01/10/2006
- Specification filed on 01/10/2006
- Claims filed on 01/10/2006
- Abstracts filed on 01/10/2006
- Drawings filed on 01/10/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:

- is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

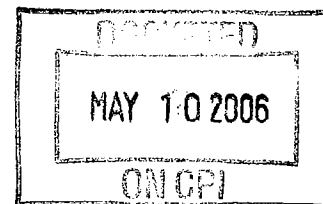
PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/564,118	PCT/EP04/07308	683105-1US (CBT001/2003US)

FORM PCT/DO/EO/905 (371 Formalities Notice)



DEADLINE: 7/2/06